

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

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In Re: JoJo's 10 Restaurant, LLC

Debtor,

Related Bankruptcy Case: 10-41983

Chapter 11

Judge Melvin S. Hoffman

JoJo's 10 Restaurant, LLC

Plaintiff

Adversary Proceeding: 10-04083

vs.

Devin Properties, LLC et al

Defendant

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SUMMONS IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer within 35 days.

**ANSWER DUE: 6/25/10**

Address of Clerk:

U. S. Bankruptcy Court  
595 Main Street  
Worcester, MA 01608

At the same time, you must also serve a copy of the motion or answer upon the plaintiffs attorney.

Name and Address of Plaintiff's Attorney:

David M. Nickless  
Nickless, Phillips and O'Connor  
625 Main Street  
Fitchburg, MA 01420

If you make a motion, your time to answer is governed by FRBP 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

Date: 7/28/10

James M. Lynch  
Clerk, U.S. Bankruptcy Court  
By the Court,

David Corchado  
Deputy Clerk  
(508) 770- 8905



CERTIFICATE OF SERVICE

I, \_\_\_\_\_ (name), certify that service of this summons and a copy of the  
complaint was made : \_\_\_\_\_ (date) by:

- ☐ Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:
- ☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:
- ☐ Residence Service: By leaving the process with the following adult at:
- ☐ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed  
to the following officer of the defendant at:
- ☐ Publication: The defendant was served as follows: [Describe briefly]
- ☐ State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_ as follows:  
[Describe briefly]

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am,  
and at all times during the service of process was, not less than 18 years of age and not a party to the matter  
concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

|                           |                |              |
|---------------------------|----------------|--------------|
| _____<br>Print Name       |                |              |
| _____<br>Business Address |                |              |
| _____<br>City             | _____<br>State | _____<br>Zip |